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C O N F I D E N T I A L SECTION 01 OF 02 HARARE 000633

SIPDIS

NSC FOR SENIOR AFRICA DIRECTOR J. FRAZER, D. TEITELBAUM
LONDON FOR C. GURNEY
PARIS FOR C. NEARY
NAIROBI FOR T. PFLAUMER
DS/OP/AF

E.O. 12958: DECL: 12/31/2014

TAGS: [PGOV](#) [PHUM](#) [PINR](#) [ASEC](#) [ZI](#)

SUBJECT: ALLEGED SHOOTER CHARGED IN ZENGEZA BY-ELECTION
SHOOTING

REF: A. HARARE 580

[1](#)B. HARARE 553

Classified By: Political Officer Audu Besmer for reasons 1.5 b/d

[1](#)1. (C) SUMMARY: On April 8, an alleged shooter in the Zengeza by-election shooting case was charged and taken into police custody. Under intense pressure by police, witnesses have fled to safe houses, and the father of the victim publicly named Minister Manyika as the shooter. It appears very unlikely that Manyika will be questioned or charged. Progress on the case thus far reaffirms a winning elections strategy for ZANU-PF: violence against the MDC with impunity for the ruling party. END SUMMARY.

[1](#)2. (U) On April 9, the government-controlled The Herald reported that Ernest Mutsotso was arrested and charged on April 8 for fatally shooting MDC youth Francis Chinozvinya and for shooting and wounding MDC youth Arthur Gunzvenze during the second day of voting in the recent by-election in Zengeza (a high-density suburb of Harare) (Ref B). Mutsotso was not asked to plead and was still being held without bail on April 13. The Herald's account of the murder mirrors earlier reports we have heard, except that Mutsotso was the reported shooter rather than Minister Without Portfolio and ZANU-PF Political Commissar Elliott Manyika. According to the article, police recovered the murder weapon, a pistol of undisclosed type, and a second Tokarev pistol with sixty-nine rounds of ammunition (for the Tokarev). The article said that Mutsotso did not have a valid license for the Tokarev or the ammunition and was also charged for violating the Firearms Act.

[1](#)3. (C) MDC officials said the party had a private doctor present at the government autopsy performed on April 2. The autopsy report stated that Gunzvenze died of gunshot wounds. MDC Zengeza Youth Provincial Chair Tendekayi Mswata said that one bullet was recovered during the autopsy and was in police possession. Mswata also said that MDC-hired lawyer Alec Muchadehama had given police one shell casing, and had kept another that MDC youths had recovered from the scene after the shooting.

[1](#)4. (C) Dr. Frances Lovemore, Director of the local human rights NGO Amani Trust said that nineteen witnesses, including Gunzvenze, had sought protective custody with Amani and were still staying in safe houses on April 13. Lovemore said that on April 1, police had beaten the wife of one of the witnesses while looking for that witness at their home.

[1](#)5. (U) On April 4 the independent weekly The Standard reported that Arthur Chinozvinya, father of the slain Francis Chinozvinya, named Minister Manyika as his son's murderer. In the article Chinozvinya identified himself as a longtime ZANU-PF supporter and said his wife was related to President Mugabe's mother.

[1](#)6. (C) COMMENT: While we have information beyond eyewitness claims which likely implicates Minister Manyika in the killing, it appears that the police and the state have made a clear decision to exonerate him. With an alleged shooter charged and in custody and Minister Manyika's alibi proclaimed by the police and reiterated in Herald articles, it is all but a forgone conclusion that police do not intend to question Manyika or his alibi. The MDC has not yet determined how or whether it would pursue or publicize accusations against Manyika in this case, a political minefield at best, at worst a lost cause on both legal and political fronts.

[1](#)7. (C) COMMENT (CONT'D): With a reportedly satisfactory autopsy done, physical evidence in police custody, and clearly identifiable witnesses, a credible investigation is theoretically possible. Whether or not that ever happens, the conclusion appears politically predetermined. Progress

on the case thus far reaffirms an elections winning formula
of violence with impunity for the ruling party, further
setting the tone for upcoming polls.
SULLIVAN